

### **Remark**

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 2, 9-11, 13-15, 17-18, 22 and 25 have been amended. Claims 32-35 have been canceled. Therefore, claims 1-31 are now presented for examination.

### **35 U.S.C. §112 Rejection**

The Examiner has rejected the claims as failing to comply with the enabling requirement. In the amendments above the recitations to which the Examiner objected have been deleted from the claim.

### **35 U.S.C. §102 Rejection,**

#### ***Backaus et al.***

The Examiner has rejected the claims as anticipated by Backaus et al., U.S. Patent No. 5,459,779 ("Backaus"). Backaus describes an IXC switch 110 that is connected through the PSTN to a LEC 102 and through the LEC to subscribers 100 on one side and to information service providers 108, 109 on the other side.

The interaction between any one caller and the IXC switch is described in Column , line 59 to Column 3, line 33. The interaction is to determine and verify the caller's Easy Reach 700 account, using a PIN and a database, and to receive the caller's selection for a service. One such service is to be routed to an information service provider 109, 110. The information service provider receives the call from the switch

with the call identifier and therefore avoids performing its own verification and billing authorization (4:12).

The IXC switch, of which there are two, is an inter-exchange carrier that answers "800" or "700" numbers directly from the local exchange carrier switch. The information service provider is coupled through a primary rate interface using Q.931 signaling.

Turning to Claim 1, as amended a voice mail system that has greeting and message storage for individual subscriber telephones is connected to a private telephone switch. The private telephone switch is coupled between the PSTN and the individual subscriber telephones. The method relates to an incoming call coming to the switch through the PSTN and directed at one of the individual subscriber telephones. These recitations of Claim 1 establish a context for the elements of the method that is clearly different from the context of Backaus.

In addition, Claim 1 recites "receiving an indication from the switch of whether the call has been previously handled by the voice mail system." This is described, for example, at paragraph 30, lines 4 et seq. and paragraph 34, lines 5 et seq. In Backaus, the IXC switch only provides a reference to the caller's account number, there is no suggestion of indicating to the information service provider whether the caller has previously been serviced or even whether the caller has an account at the information service provider. Since all of the authentication and billing is performed at the IXC switch, there is no reason for the IXC switch to provide such information to the information service provider.

In addition, Claim 1 recites some elements if the call has been previously handled by the voice mail system and other elements if the call has not been previously handled

by the voice mail system. There is no suggestion of such differences in activity at the information service provider of Backaus.

In addition, the information in Backaus that is provided from the IXC switch regards the caller's account, not the call as in Claim 1. As described in Backaus, the information provided to the information service provider is the calling party's Easy Reach 700 number (3:66) and possibly, the caller's ANI (4:4, 4:67-5:4)

For all of these reasons, Claim 1, as amended, is believed to be allowable over the references. Claims 11 and 14 contain similar limitations and are believed to be allowable therefore.

Claim 17 is believed to be allowable for many of the reasons provided above with respect to Claim 1. Note that in Backaus, if the caller does not have an Easy Reach 700 account, his call will not be forwarded to the information service provider. Accordingly, there is no motivation to indicate whether the information service provider has previously handled the call.

Claims 22 and 25 contain similar limitations and are believed to be allowable therefore. The remaining claims are dependent upon one or more of the claims mentioned above and are believed to be allowable therefore as well as for the limitations expressly set forth in each claim, respectively.

### **Conclusion**

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

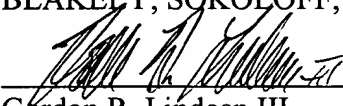
### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 7/10/14

  
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